

JCTO Rec'd PCT/PTO 02 AUG 2005

U. S. PATENT AND TRADEMARK OFFICE  
U.S. DEPARTMENT OF COMMERCE

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

21346P

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**10/544213**

INTERNATIONAL APPLICATION NO.  
PCT/US2004/008828

INTERNATIONAL FILING DATE  
March 22, 2004

PRIORITY DATE CLAIMED  
March 27, 2003

TITLE OF INVENTION

FORMULATIONS FOR TYROSINE KINASE INHIBITORS

APPLICANT(S) FOR DO/EO/US

Shyam B. Karki, Sameer R. Deshpande, Karen C. Thompson, Anne H. Payne and Thomas P. Gandek

**Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:**

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (PCT Article 31).
5. ☒ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
  - a. ☐ is attached hereto
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)].
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

**Items 11 to 20 below concern other document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

EXPRESS MAIL NO. **8-2-05**  
SERIAL NO. **21346P**  
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
BEING DEPOSITED WITH THE UNITED STATES POSTAL  
SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE"  
ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO  
COMMISSIONER FOR PATENTS, P.O. BOX 1450,  
ALEXANDRIA, VIRGINIA 22313-1450.

MAILED BY **Linda Zeller**  
DATE **August 2, 2005**

10/544213

PCT/US2004/008828

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The following fees are submitted:

21. ☒ Basic national fee.....\$300
22. ☒ Examination fee (37 CFR 1.492(c))  
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0  
All other situations.....\$200
23. ☒ Search fee (37 CFR 1.492(b))  
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0  
Search fee [37 CFR 1.445(a)(2)] has been paid on the international application to the USPTO as an International Searching Authority.....\$100  
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....\$400  
All other situations.....\$500

CALCULATIONS PTO USE ONLY

\$300.00

\$100.00

TOTAL OF 21, 22 and 23=

\$400.00

☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE
19 - 100 =	0 /50	0 = 0	X \$250.00

\$0.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total Claims	26 - 20 =	6	X \$50.00
Independent Claims	4 - 3 =	1	X \$200.00

\$300.00

\$200.00

MULTIPLE DEPENDENT CLAIM(S) (if applicable)

+ \$360.00

TOTAL OF ABOVE CALCULATIONS (SUBTOTAL)

Adjustment Date: 01/06/2006 WALVARAD  
08/08/2005 LLANDGRA 00000023 132755 10544213  
02 FC:1641 100.00 CR

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

+

TOTAL NATIONAL FEE

=

\$900.00

Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.

+

TOTAL FEES ENCLOSED

=

\$900.00

Amount to be

01/06/2006 WALVARAD 00000001 132755 10544213  
Sale Ref: 00000002 DAN: 132755  
01 FC:1641 200.00 CR  
Amount to be 10544213  
Charged:

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 13-2755 in the amount of \$900.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. 13-2755. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No. 000210

MERCK & CO., INC.  
Patent Department, RY60-30  
P.O. Box 2000  
126 East Lincoln Avenue  
Rahway, New Jersey 07065-0970

SIGNATURE

Sylvia A. Ayler

NAME

DATE: August 2, 2004

PHONE #: (732) 594-4909

36,436

REGISTRATION NUMBER